

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY  
BOARD MEETING MINUTES**

**November 17, 2008**

A meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Division of Occupations and Professions, Frankfort, KY on November 17, 2008.

**MEMBERS PRESENT**

Theresa Crisler – Board Chair  
Sarah Hart – Vice Chair  
Denise Logsdon – Secretary  
Michael Mansfield  
Max Maxwell

**OCCUPATIONS AND PROFESSIONS STAFF**

Jeff Boler, Board Administrator  
Gerald Hoppmann, Division Director  
Barbara Rucker, Administrative Section  
Supervisor

**MEMBERS ABSENT**

Jeff Shipp

**OTHERS**

Michael West, Office of the Attorney General  
Deedra Benthall, Office of the Inspector General  
Gerald Clemons, Board Investigator  
Pat Sazy, ABMP  
Pam Jenkins, AMTA  
Katherine Warner, AMTA  
Charles Watson  
Katie Stewart

**Call to Order**

Theresa Crisler, Board Chair, called the meeting to order at 10:04 AM.

**Approval of Minutes**

Minutes of the October 21, 2008 meeting were presented for the Board's review. Ms. Logsdon made a motion to approve the minutes pending amendments. The motion, seconded by Mr. Mansfield carried unanimously.

**Financial Statement**

Financial statements for the months ending September 30, 2008, and October 31, 2008 were presented for the board's review. Ms. Logsdon made a motion to approve the statement as presented. The motion, seconded by Ms. Hart, carried unanimously.

**Director's Report**

Mr. Hoppmann introduced Deedra Benthall, from the Office of Inspector General, and Ms. Barbara Rucker, who is the new Administrative Section Supervisor for the Division.

**Chairperson's Report**

Ms. Crisler questioned Mr. Hoppmann about the vacancy on the Board. Mr. Hoppmann informed the board that he has been in communication with the Governor's Office, and he expected the position to be filed prior to the next board meeting.

Ms. Crisler questioned Mr. Hoppmann about the option of creating a public service announcement that would inform the audience of the licensure requirement for massage therapists in the state. Mr. Boler informed the Board that he has been investigating the possibility, and will update the board at the next meeting.

Ms. Crisler questioned Mr. Hoppmann about the letter that was requested by the Board to the Consumer Protection Division of the Department of Insurance, concerning the billing issue with Anthem Blue Cross / Blue Shield issue. Mr. Hoppmann informed the Board that the letter was drafted, and submitted per request. To date, he has not received a response. Ms. Crisler requested a copy of all correspondence that is requested by the board, and then mailed by the Division.

Ms. Crisler questioned Mr. Hoppmann about the letter that was requested by the Board to the Kentucky Board of Chiropractors concerning the insurance billing issues. Mr. Hoppmann informed the Board that he will provide the board a copy for review at the next meeting.

### **Licensure Status Report**

The Board reviewed the licensure status report for the month ending October 31, 2008 which indicated 1887 active licenses, with 47 inactive licenses.

### **Attorney's Report**

Mr. West presented the board with a recommended order for case #2007-09. After discussion, Mr. Maxwell made a motion to adopt the hearing officers recommended order. The motion, seconded by Mr. Mansfield, carried unanimously.

### **Old Business**

The Board reviewed comments that were submitted from the Kentucky chapter of the American Massage Therapy Association (AMTA), and Associated Bodywork & Massage Professionals (ABMP) concerning the potential legislation. After discussion and hearing comments from both associations and the public, Ms. Logsdon requested a consensus vote on leaving the makeup of the board as it is currently written in KRS 309.354. The Board, in a vote of 5 for, 0 against, chose to keep the language as it is currently written.

The potential legislation was sent back to the ad-hoc legislative committee for further changes.

Mr. Maxwell made a motion to send a letter to both associations, explaining the rationale for the various legislative changes. The motion, seconded by Mr. Mansfield, carried unanimously.

### **New Business**

The Board discussed the FARB Conference, which will be held in Tampa, Florida, on January 23-25, 2008. Ms. Hart made a motion to approve travel and expenses for up to four board members to attend. The motion, seconded by Ms. Logsdon, carried unanimously.

### **Complaints Review Committee**

Ms. Hart reported to the board that the following cases are still pending: 2007-09, 2008-24, 2008-25, 2008-33, 2008-36, 2008-42, 2008-43, and 2008-44.

Ms. Hart made a motion to request investigative assistance from the Office of Inspector General for case #2008-41. The motion, seconded by Mr. Maxwell, carried unanimously.

Ms. Hart made a motion to have the administrator draft a letter requesting official records from the Federal Court pertaining to case #2008-46 for further review by the committee. The motion, seconded by Mr. Maxwell, carried unanimously.

Ms. Hart made a motion to have the administrator send “cease and desist” letters for case #2008-37, and 2008-45. The motion, seconded by Mr. Maxwell, carried unanimously.

Ms. Hart made a motion to initiate an investigation for case #2008-38. The motion, seconded by Mr. Maxwell, carried unanimously.

#### **Educational Review Committee**

Ms. Logsdon made a motion to approve six (6) audited renewals. The motion, seconded by Ms. Hart, carried unanimously.

#### **Application Review Committee**

Ms. Logsdon made a motion to defer the application for (HE) and request additional information. The motion, seconded by Mr. Mansfield, carried unanimously.

Ms. Logsdon made a motion to refer the application for (AR) to the complaints committee. The motion, seconded by Mr. Mansfield, carried unanimously.

Ms. Logsdon made a motion to approve the applications for (RT) and (KF). The motion, seconded by Mr. Mansfield, carried unanimously.

#### **Travel and Per-Diem**

Ms. Logsdon made a motion to approve travel and per-diem for today’s meeting. The motion, seconded by Ms. Hart, carried unanimously.

Mr. Maxwell made a motion to adjourn the meeting at 1:12 pm. The motion, seconded by Mr. Mansfield, carried unanimously.

Approved by the Board,



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Theresa M. Crisler, Board Chair